

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

United States of America

v.

JOSEPH LINO PADILLA

Defendant

Case No. 1:21-mj-034-SKL

Charging District's Case No. 1:21-MJ-0252 Judge

WAIVER OF RULE 5 & 5.1 HEARINGS (Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* U.S.D.C. District of Columbia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
 - ☒ preliminary hearing and/or ☒ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 02/23/2021

Joseph Padilla

by counsel

Lee Davis

Defendant's signature

Signature of defendant's attorney

Charles L. Davis

Printed name of defendant's attorney